A/71/53/Add.2

United Nations

Report of the Human Rights Council

Twenty-fifth special session
(21 October 2016)

General Assembly
Official Records
Seventy-first Session
Supplement No. 53 (A/71/53/Add.2)

Please recycle

A/71/53/Add.2

General Assembly
Official Records
Seventy-first Session
Supplement No. 53 (A/71/53/Add.2)

Report of the Human Rights Council

Twenty-fifth special session
(21 October 2016)

United Nations • New York, 2016

Note

Symbols of United Nations documents are composed of letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

The designations employed and the presentation of the material in this publication do not imply the expression of any opinion whatsoever on the part of the Secretariat of the United Nations concerning the legal status of any country, territory, city or area or of its authorities, or concerning the delimitation of its frontiers or boundaries.

I. Introduction

1. The Human Rights Council held its twenty-fifth special session on 21 October 2016.

2. The report of the Human Rights Council on its twenty-fifth special session will be issued in document A/HRC/S-25/2.

II. Resolution adopted by the Human Rights Council at its twenty-fifth special session

S-25/1. The deteriorating situation of human rights in the Syrian Arab Republic, and the recent situation in Aleppo

The Human Rights Council,

Guided by the Charter of the United Nations,

Reaffirming all its previous resolutions on the Syrian Arab Republic,

Reaffirming also its strong commitment to the full respect of sovereignty, independence, unity and territorial integrity of the Syrian Arab Republic,

Expressing outrage at the alarming number of civilian casualties caused by the escalating level of violence and intensified campaigns of indiscriminate aerial bombings in Aleppo, and recalling in this regard the statements made on 25 September 2016 by the Special Envoy of the Secretary-General for Syria, in which he reported a situation in eastern Aleppo that "deteriorates to new heights of horror", and by the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, on 29 September, in which he reported a situation of "now besieged eastern Aleppo",

Recalling the legal obligations of all parties under international humanitarian law and international human rights law, as applicable, as well as all relevant decisions of the Security Council regarding the situation in the Syrian Arab Republic,

Strongly condemning all attacks against civilians and civilian infrastructure, including those involving attacks on schools, medical facilities and personnel, the removal of medical items from humanitarian convoys and the deliberate interruptions of water supply, the indiscriminate use of weapons, including artillery, cluster bombs and barrel bombs, and air strikes, shelling by mortar, car bombs, incendiary weapons, suicide attacks and tunnel bombs, the use of chemical weapons, and the use of starvation of civilians as a method of combat, including by the besiegement of populated areas, and the widespread use of torture, ill-treatment, arbitrary executions, extrajudicial killings, enforced disappearances, sexual and gender-based violence, as well as all serious violations and abuses committed against children,

Strongly condemning also the increased terrorist attacks resulting in numerous casualties and destruction carried out by those under the control of the so-called Islamic State in Iraq and the Levant (Daesh), Al-Nusrah Front and all other individuals, groups, undertakings and entities associated with Al-Qaida or the so-called Islamic State in Iraq and the Levant (Daesh), and other terrorist groups, as designated by the Security Council, and reaffirming that terrorism, including the actions of the so-called Islamic State in Iraq and the Levant (Daesh), cannot and should not be associated with any religion, nationality or civilization, and stressing the importance of the full implementation of Security Council resolution 2170 (2014) of 15 August 2014,

Noting that the so-called Islamic State in Iraq and the Levant and Al-Nusrah Front have been designated terrorist organizations by the Security Council under its resolutions 1267 (1999) of 15 October 1999, 1989 (2011) of 17 June 2011 and 2253 (2015) of 17 December 2015, and urging the international community to do all it can to prevent any material or financial support from reaching these groups and dissuading any party to the cessation of hostilities from fighting in collaboration with them,

Welcoming any genuine steps to improve the humanitarian situation in Aleppo, and stressing the vital importance of a sustained cessation of hostilities,

Welcoming also the decision of the Secretary-General to establish an internal United Nations board of inquiry on the incident involving the bombing of a United Nations-Syrian Arab Red Crescent relief operation to Urum al-Kubra, in the Syrian Arab Republic, on 19 September 2016, and underlining the importance of all parties concerned cooperating fully with the board and the importance of completing the investigation without delay with a view to holding the perpetrators accountable,

1. *Demands* that all parties to the Syrian conflict, in particular the Syrian authorities and its allies, immediately comply with their obligations under international humanitarian law and international human rights law, as applicable, including with respect to all besieged and hard-to-reach areas, calls upon all parties to implement fully and immediately all the provisions of Security Council resolutions 2139 (2014) of 22 February 2014, 2165 (2014) of 14 July 2014, 2191 (2014) of 17 December 2014, 2199 (2015) of 12 February 2015, 2254 (2015) of 18 December 2015, 2258 (2015) of 18 December 2015 and 2268 (2016) of 26 February 2016, and recalls the importance of holding accountable those responsible for all violations of international humanitarian law and all violations and abuses of international human rights law committed in the Syrian Arab Republic;

2. *Urges* the immediate implementation of the cessation of hostilities;

3. *Demands* that all parties, in particular the Syrian authorities and its supporters, promptly allow rapid, safe, unhindered and sustained humanitarian access for United Nations humanitarian agencies and their implementing partners, including across conflict lines and borders, in order to ensure that humanitarian assistance reaches people in need through the most direct routes;

4. *Also demands* that the regime and its allies end immediately all aerial bombardments of and military flights over Aleppo city;

5. *Further demands* that the Syrian authorities cooperate fully with the Human Rights Council and the Independent International Commission of Inquiry on the Syrian Arab Republic by granting the Commission immediate, full and unfettered access throughout the Syrian Arab Republic;

6. *Strongly condemns* all use of starvation of civilians as a method of combat, and all besiegement directed against civilian populations;

7. *Also strongly condemns* the terrorist acts and violence committed against civilians by the so-called Islamic State in Iraq and the Levant (Daesh), Al-Nusrah Front or other terrorist organizations designated by the Security Council, and their continued gross, systematic and widespread abuses of international human rights law and violations of international humanitarian law, reaffirms that terrorism, including the actions of the so-called Islamic State in Iraq and the Levant (Daesh), cannot and should not be associated with any religion, nationality or civilization, and stresses the importance of the full implementation of Security Council resolution 2170 (2014);

8. *Emphasizes* the need to ensure that all those responsible for violations of international humanitarian law or violations and abuses of international human rights law are held to account through appropriate, fair and independent domestic or international

criminal justice mechanisms, and stresses the need to pursue practical steps towards this goal, noting the important role that the International Criminal Court can play in this regard;

9. *Demands* that all parties comply with the requests made by the United Nations and their implementing partners for humanitarian access, including by observing the cessation of hostilities as described by the Security Council in its resolution 2268 (2016) and ending all bombardments of and military flights over Aleppo city, in order to facilitate immediate, safe, unhindered and sustained humanitarian access, including to all of Aleppo by the United Nations and their implementing partners, recognizing that this requires a sustained absence of violence as determined sufficient by the United Nations and their implementing partners to allow humanitarian assistance;

10. *Underlines* that humanitarian access should be to the full number of people in need as identified by the United Nations and their implementing partners, with the full spectrum of humanitarian assistance as determined by the United Nations and their implementing partners, and that the evacuation of urgent medical cases should be facilitated by all sides solely on the basis of urgency and need;

11. *Reiterates* that the only sustainable political solution to the current crisis in the Syrian Arab Republic is through an inclusive and Syrian-led political process that includes the full and meaningful participation of women, meets the legitimate aspirations of the Syrian people, with a view to the full implementation of the Geneva communiqué of 30 June 2012 as endorsed by the Security Council in its resolution 2118 (2013) of 27 September 2013, including through the establishment of an inclusive transitional governing body with full executive powers, which shall be formed on the basis of mutual consent while ensuring the continuity of governmental institutions, and the full implementation of Council resolutions 2254 (2015) and 2268 (2016);

12. *Expresses in this regard* its fullest support for the Special Envoy's efforts towards the full implementation of Security Council resolution 2254 (2015), and urges all parties to the Syrian conflict to cooperate constructively and in good faith with the Special Envoy to this end, especially with a view to immediately address the situation in Aleppo;

13. *Requests* the Commission of Inquiry to, consistent with its mandate, conduct a comprehensive, independent special inquiry into the events in Aleppo, to, where possible, identify all those for whom there are reasonable grounds to believe that they are responsible for alleged violations and abuses of international human rights law, and to support efforts to ensure that perpetrators of alleged abuses and violations are held accountable, and also requests the Commission to provide a full report of the findings of its special inquiry to the Human Rights Council no later than its thirty-fourth session;

14. *Decides* to remain seized of the matter.

2nd meeting
21 October 2016

[Adopted by a recorded vote of 24 to 7, with 16 abstentions. The voting was as follows:

In favour:

Albania, Belgium, Botswana, Côte d'Ivoire, El Salvador, France, Georgia, Germany, Latvia, Maldives, Mexico, Mongolia, Morocco, Netherlands, Portugal, Qatar, Republic of Korea, Saudi Arabia, Slovenia, Switzerland, the former Yugoslav Republic of Macedonia, Togo, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland

Against:

Algeria, Bolivia (Plurinational State of), Burundi, China, Cuba, Russian Federation, Venezuela (Bolivarian Republic of)

Abstaining:

Bangladesh, Congo, Ecuador, Ethiopia, Ghana, India, Indonesia, Kenya, Kyrgyzstan, Namibia, Nigeria, Panama, Paraguay, Philippines, South Africa, Viet Nam]